



Entered on Docket
February 03, 2010

A handwritten signature in dark ink, appearing to read "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

Electronically Filed on _____

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.
Nevada Bar No. 004417
208 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
bk@wildelaw.com
Fax: 702 258-8787

MARK S. BOSCO, ESQ.

Arizona Bar No. 010167
TIFFANY & BOSCO, P.A.
2525 East Camelback Road, Suite 300
Phoenix, Arizona 85016
Telephone: (602) 255-6000
HSBC Bank USA, National Association as Trustee for MANA 2007-A2
09-76083

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Brian Everett Fucile and Cecilia Argentina Fucile

Debtor(s).

BK-09-21461-bam

Date: 1/19/2010
Time: 1:30 pm

Chapter 13

ORDER VACATING AUTOMATIC STAY

1
2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
3 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
4 Secured Creditor HSBC Bank USA, National Association as Trustee for MANA 2007-A2, its assignees
5 and/or successors in interest, of the subject property, generally described as 3900 Ortiz Ct. NE,
6 Albuquerque, NM 87110, and legally described as follows:

7 Unit 3900A, COLONIAL PARK, Albuquerque, New Mexico, as the same is shown and
8 designated on the plat entitled "Colonial Park a condominium residential enterprise
9 existing bUildings on a portion of Block #48, of Unit #4, of the Altamont Addition", filed
10 in the Office of the County Clerk of Bernalillo County, New Mexico, on September 26,
11 1979, in Plat Book C1S, folio 119.

12 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
13 Debtors at least five business days' notice of the time, place and date of sale.

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
3 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
4 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

5 DATED this ____ day of _____, 2010.

6 Submitted by:

7 **WILDE & ASSOCIATES**

8 By

 #10235

9 **GREGORY L. WILDE, ESQ.**

10 Attorney for Secured Creditor

11 208 South Jones Boulevard

12 Las Vegas, Nevada 89107

13 APPROVED / DISAPPROVED

14 Philip K. Goldstein

15 609 S. 7th Street

16 Las Vegas, NV 89101

17 Attorney for Debtor(s)

18 APPROVED / DISAPPROVED

19 Kathleen A Leavitt

20 201 Las Vegas Blvd., So. #200

21 Las Vegas, NV 89101

22 Chapter 13 Trustee

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor